IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CIVIL APPLCATION NO. 2555 OF 2005.
IN
WRIT PETITION NO.4039 of 1997

Mahatm Jyotiba Phule Education
Sanstha & ors. ..Applicans.
V/s.

Rajendra Govindrao Jadhav & ars.. ... Respondents.

Shri Niranjan Shimpi for the appicants.

Shri A.R.Shaikh for the respondents.

CORAM : V.C.DAGA, J.

DATED : 9.12.2005.

P.C. :

. Heard learned Counsel for the applicants.

2. While granting Rule by order dated 9th July, 1998, stay of reinstatement was granted with a direction to the applicants to pay all the arrears of salary from the date of termination till the date of allowing the appeal i.e. upto 24.1.1997, with further direction to deposit future salary to be paid to the respondents with the Tribunal.

3. It appears that the applicants did approach the Tribunal so as to deposit the amount as directed by this Court. However, the Tribunal by order dated 9.8.2002 did not accept the said amount on the ground that there is no P.L.A. account in the name

of the Presiding Officer, School Tribunal, Nashik. Therefore, the applicants were directed to seek appropriate direction from this Court. This order was passed by the Tribunal on 9..8.2002. Petitioner, therefore, moved an application to seek appropriate orders from this Court, some time in September 2002. Since then C.A. is pending. At no point of time, this application was mentioned, so as to get necessary directions from this Court. Practically after more than 3 years this application is placed before this Court for necessary orders.

4 Needless to mention that petitioners had obtained equitable relief of stay of reinstatement from this Court, it was expected on the part of the applicants to comply with the terms of interim relief. No petitioner can be heard of saying that I have filed application in the High Court and it was not his duty or responsibility to get necessary orders on the said application. If applicants had obtained equitable relief, it was expected on their part to obtain appropriate order from this Court with urgent despatch so as to comply with the terms of order of interim relief, which the petitioners had obtained. Looking to the conduct of the petitioners, they are not entitled for equitable relief. Negligence and lethargy on the part of the petitioners-applicants compels me to vacate the order dated 9th July, 1998, granting interim stay of

reinstatement. In this view of the matter, civil application seeking direction is rejected with no order as to costs.